

Docket No. 2024728-7014812001  
(02-234)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: ) Group Art Unit: 3739  
 Robert Garabedian, et al ) Confirmation No.: 4498  
 Serial No.: 10/606,250 ) Examiner: Peffley, Michael  
 Filed: June 24, 2003 )  
 For: COMPOUND LESION ALIGNMENT )  
 DEVICE )

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## TRANSMITTAL

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 Sir:

Transmitted herewith for the above-identified application are the following:

- Notice of Appeal with authorization to charge fees (3 pages); and
- Transmittal with certificate of facsimile transmission (1 page)

Respectfully submitted,  
 BINGHAM McCUTCHEN LLP

Dated: 1/30/06By: DTB

David T. Burse  
 Reg. No. 37,104

Customer Number  
 23639  
 PATENT TRADEMARK OFFICE

BINGHAM McCUTCHEN LLP  
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 San Francisco, CA 94111-4067  
 (650) 849-4400

CERTIFICATE OF FACSIMILE TRANSMISSION  
(37 C.F.R. §1.6 (d))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via fax on the date shown below to U.S. Patent and Trademark's fax number at: (571) 273-8300 addressed to:  
 Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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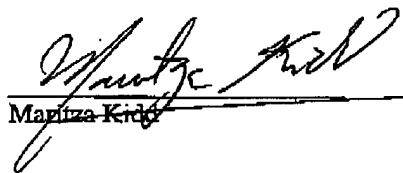
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FROM:	Maritza D. Kidd maritza.kidd@bingham.com	(650) 849-4800	(650) 849-4481
PAGES:	(INCLUDING THIS COVER PAGE): 5		
RE:	Notice of Appeal Appl S/N: 10/606,250		

## MESSAGE:

I hereby certify that Notice of Appeal with authorization to charge fees (3 pages), and transmittal (1 page) are being submitted to the United States Patent and Trademark Office on the date above. Please confirm receipt via facsimile. Thank you.

  
\_\_\_\_\_  
Maritza Kidd

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Docket No. 2024728-7014812001  
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In re the Application of:

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Serial No.: 10/606,250

Filed: June 24, 2003

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Group Art Unit: 3739

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Examiner: Peffley, Michael

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**Commissioner for Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patents Appeals and Interferences from the decision dated November 3, 2005.

The items checked below are appropriate.

**1. Request and Petition for EXTENSION OF TIME:**

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

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Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$60.00	\$120.00
<input type="checkbox"/> two months	\$225.00	\$450.00
<input type="checkbox"/> three months	\$510.00	\$1,020.00
<input type="checkbox"/> four months	\$795.00	\$1,590.00
<input type="checkbox"/> five months	\$1,080.00	\$2,160.00
	<b>Fee</b>	<b>\$0.00</b>

If any extension fee is required, please consider this a petition therefore.

## 2. Appeal FEES

Applicant claims small entity status pursuant to 37 CFR § 1.27.

<input checked="" type="checkbox"/> <b>APPEAL FEE: 37 CFR §1.17 (b) - 41.20(b)(1)</b>	<b>\$500.00</b>
Reduction by $\frac{1}{2}$ for Filing by Small Entity. Note 37 CFR § 1.9, 1.27, 1.28.	<input type="checkbox"/> \$0.00
<u>Extension of Time (from above)</u>	<u>\$0.00</u>
<b>TOTAL FEES SUBMITTED HEREWITH</b>	<b>\$500.00</b>

## 3. Method of Payment of fees:

Attached is a check in the amount of \_\_\_\_\_.

Please charge Bingham McCutchen's Deposit Account No. **50-2518** in the amount of **\$500.00**.

The Commissioner is authorized to charge Bingham McCutchen's Deposit Account No. **50-2518** for any fees required that are not covered, in whole or in part, and to credit any overpayments to said Deposit Account No. **50-2518**

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BINGHAM McCUTCHEN LLP

Dated: 1/30/06

By:   
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Reg. No. 37,104

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